

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	Docket No. 22-cv-6275
)	
DONGUAN FENSHANG INDUSTRIAL CO., LTD.,	)
)	
Plaintiff,	)
)	<b><u>DECLARATION OF</u></b>
-against-	<b><u>CHARLES AZRAK</u></b>
)	
SOHO PARTNERS GROUP LLC, et al.,	)
)	
Defendants.	)
-----X	

CHARLES AZRAK declares under penalties of perjury as follows:

1. I have been named individually as a defendant in this action, together with three New York limited liability companies of which I am the 99% member.

2. I understand that plaintiff claims that Soho Partners Group LLC and Michael Fashion Consulting LLC were served through Jamie Dyer in our offices. Ms. Dyer is not formally employed by either of those companies. In addition, she is not an officer, managing or general agent, member, or manager of either of those companies. Nor has she been designated or appointed by the defendant companies as a person authorized to receive process for them.

3. I further understand that plaintiff claims that Ringerjeans LLC served through Nate James. Mr. James is not formally employed by Ringerjeans. In addition, he is not an officer, managing or general agent, member, or manager of either of Ringerjeans. Nor has he been designated or appointed by the Ringerjeans as a person authorized to receive process for that company.

4. I reside at 1888 Ocean Parkway, Brooklyn, with my wife and children. I have lived there since January 2021. Prior to that, from August 2020 through January 2021, I resided at 1957 E. 1<sup>st</sup> Street, Brooklyn.

5. I understand that plaintiff is claiming that service was accomplished upon me at 414 Avenue S., Brooklyn, New York. That is my parents' home. I resided there temporarily from around January 2019 through August 2020. I did not live there in August 2022.

6. The declaration I made in another case on May 28, 2019 to the effect that I lived at 414 Avenue S was accurate at that time. However, by the time service was allegedly made upon me in this case in August 2022, I was living on Ocean Parkway, as indicated above, and not on Avenue S.

7. Defendants have meritorious defenses. As to myself and Ringerjeans, we did not have any contractual or other business relations with plaintiff. As is typical of Chinese factories, they name individuals and companies unrelated to the transactions in dispute as a means for leveraging a settlement. There is no factual or legal basis to make any non-contracting parties liable for the debts of the entities which contracted.

8. Orders for apparel were placed by Soho Partners and Michael Fashions. One order was prepaid, but delivered late. It took months for delivery, and during that time, the factory provided us with false shipping information. By the time the goods arrived, they could not be resold on the original terms. Other orders were never even delivered (or desired), given the untimeliness of the previous order. We deny that defendants owe nearly \$1 million, as claimed by plaintiff, and intend to defend this action and file appropriate counterclaims.

I DELCARE UNDER PENALTIES OF PERJURY THAT THE FOREGOING IS TRUE AND  
CORRECT.



CHARLES AZRAK

Executed on November 11, 2022